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Attorneys for Defendant

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

RICHARD W. BECK,

Plaintiff,

v.

JO ANNE B. BARNHART,  
Commissioner of  
Social Security,

Defendant.

CASE NO. **2:04-CV-00032-FCD-PAN**

STIPULATION AND ORDER  
SETTLING ATTORNEY'S FEES  
PURSUANT TO THE EQUAL  
ACCESS TO JUSTICE ACT

IT IS HEREBY STIPULATED by and between the parties through their undersigned counsel, subject to the approval of the Court, that counsel for Plaintiff be awarded attorney's fees under the Equal Access to Justice Act (EAJA) in the amount of FIVE THOUSAND FOUR HUNDRED AND 00/100 DOLLARS (\$5,400.00). This amount represents compensation for legal services rendered on behalf of Plaintiff by Plaintiff's attorney in accordance with 28 U.S.C. § 2412(d).

This stipulation constitutes a compromise settlement of Plaintiff's request for all fees and costs under the EAJA, and does not constitute an admission of liability on the part of Defendant under the EAJA. Payment of the FIVE THOUSAND FOUR HUNDRED AND 00/100 DOLLARS (\$5,400.00)

1 in fees shall constitute a complete release from and bar to any and all claims Plaintiff may have  
2 relating to EAJA fees and costs in connection with this action.

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4 The parties further stipulate that counsel for Plaintiff will provide a facsimile of this  
5 stipulation bearing counsel's signature for retention in Defendant's case file, and hereby authorizes  
6 counsel for Defendant to file this document in PDF format under the latter's Electronic Case Filing  
7 password, pursuant to Local Rule 7-131.

8  
9 DATED: September 9, 2005

/s/ Harvey P. Sackett

Harvey P. Sackett

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11 Attorney for Plaintiff

12 DATED: September 13, 2005

McGREGOR W. SCOTT

United States Attorney

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15 By: /s/ Bobbie J. Montoya

Assistant U. S. Attorney

16  
17 Attorneys for Defendant

18 OF COUNSEL

19 LUCILLE GONZALES MEIS  
20 Chief Counsel, Region IX

21 MICHAEL A. CABOTAJE  
22 Assistant Regional Counsel

23 U. S. Social Security Administration  
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28 Re: RICHARD W. BECK v. JO ANNE B. BARNHART, Case No. 2:04-CV-00032-FCD PAN, Stipulation and Order Settling  
Attorney's Fees Pursuant to the Equal Access to Justice Act

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**ORDER**

Upon stipulation of the parties, plaintiff in CASE NO. 2:04-CV-00032-FCD PAN,  
**RICHARD W. BECK v. Jo Anne B. Barnhart**, is hereby awarded attorney fees in the amount  
of \$5,400.00, pursuant to the Equal Access to Justice Act.

**APPROVED AND SO ORDERED.**

**DATED: September 13, 2005**

**/s/ Frank C. Damrell Jr.**

**FRANK C. DAMRELL, JR.**

**UNITED STATES DISTRICT JUDGE**